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5 UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF WASHINGTON  
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8 AZUCENA TINAJERO,

9 Plaintiff,

10 v.

11 COMMISSIONER OF SOCIAL

12 SECURITY,

13 Defendant.  
14

No. 1:16-cv-03204-SAB

**ORDER GRANTING STIPULATED  
MOTION FOR REMAND**

15 Before the Court is the parties' Stipulated Motion for Remand, ECF No. 17.  
16 The motion was heard without oral argument.

17 The parties stipulate that the above-captioned case be reversed and  
18 remanded to the Commissioner of Social Security for further administrative  
19 proceedings including a *de novo* hearing pursuant to sentence four of 42 U.S.C.  
20 § 405(g). The parties agree that reasonable attorney fees should be awarded under  
21 the Equal Access to Justice Act, 28 U.S.C. § 2412, upon proper request to the  
22 Court.

23 Accordingly, **IT IS HEREBY ORDERED:**

24 1. The parties' Stipulated Motion for Remand, ECF No. 17, is  
25 **GRANTED.**

26 2. The decision denying benefits is **reversed** and **remanded** for further  
27 administrative proceedings. On remand, the ALJ shall offer Plaintiff an  
28 opportunity for a new hearing, further develop the record, and issue a new

**ORDER GRANTING STIPULATED MOTION FOR REMAND + 1**

1 decision. The ALJ shall also: reevaluate the medical evidence, including the  
2 opinions of Dr. Palmatier, Dr. Keck, and Dr. North; reassess Plaintiff's residual  
3 functional capacity; reconsider the nature and severity of Plaintiff's obesity; and if  
4 necessary, obtain supplemental evidence from a vocational expert to clarify the  
5 effect of the limitations on the occupational base.

6 3. This remand is made pursuant to sentence four of 42 U.S.C. § 405(g).

7 4. Plaintiff's Motion for Summary Judgment, ECF No. 13, is **DISMISSED**  
8 **AS MOOT.**

9 5. The District Court Executive is directed to enter judgment in favor of  
10 Plaintiff and against Defendant.

11 **IT IS SO ORDERED.** The District Court Executive is hereby directed to  
12 file this Order, provide copies to counsel, and close the file.

13 **DATED** this 14th day of August, 2017.



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A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is written in a cursive, flowing style.

20 Stanley A. Bastian  
21 United States District Judge  
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